

ORDINANCE NO. 76 0325-E

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 466.25 ACRE TRACT OF LAND, LOCALLY KNOWN AS 12127-12553 U. S. HIGHWAY 183, AND ALSO BOUNDED BY McNEIL ROAD, /FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT, SAVE AND EXCEPT A STRIP OF LAND FIFTY (50) FEET IN WIDTH, WHICH IS HEREBY REZONED FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, /LYING ADJACENT TO ANGUS VALLEY AND SUMMIT OAKS SUBDIVISIONS LOCATED ALONG THE SOUTHERN AND EASTERN BOUNDARIES OF SAID 466.25 ACRE TRACT OF LAND; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations on a 466.25 acre tract of land, described in File C14-75-128, from Interim "AA" Residence, Interim First Height and Area District to "D" Industrial, First Height and Area District, SAVE AND EXCEPT a strip of land fifty (50) feet in width, which is hereby rezoned from Interim "AA" Residence, Interim First Height and Area District to "A" Residence, First Height and Area District, lying adjacent to Angus Valley and Summit Oaks Subdivisions located along the southern and eastern boundaries of said 466.25 acre tract of land; said 466.25 acre tract of land being described by metes and bounds as follows:

A 466.25 acre tract of land, being all of that certain tract or parcel of land out of the Theophilis Wahrenberger Survey No. 536, M. Hunt Survey No. 105, F. G. Secrest Survey No. 23, and the James D. Goode Survey No. 30, in Williamson and Travis Counties, consisting of that certain 8.9 acre tract of land as conveyed by J. J. Cahill to L. L. Cox, as recorded in Volume 846, at Page 86, of the Deed Records of Travis County, Texas; that certain tract of land called 377 acres as conveyed by J. J. Cahill to L. L. Cox, as recorded in Volume 772, at Page 200, of the Deed Records of Travis County, Texas; a portion of that certain tract of land called 80 acres as conveyed to L. L. Cox by L. E. Tounge, as recorded in Volume 682, at Page 232, of the Deed Records of Travis County, Texas; and a portion of that certain tract of land called 62.73 acres as conveyed by Benton Moore to L. L. Cox, as recorded in Volume 559, at Page 266, of the Deed Records of Travis County, Texas; said 466.25 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the south line of McNeil Road on the common line between the Wahrenberger Survey No. 536, and the J. D. Goode Survey No. 30, at the west corner of that certain tract of land as conveyed by Ganzert

A. F. Martin to J. D. Cahill as recorded in Volume 138, at Page 451, of the Deed Records of Travis County, Texas;

THENCE, along the south line of the said Martin tract as found fenced and used upon the ground S 60° 46' E for a distance of 1286.04 feet to an iron stake at the northwest corner of Lot 2, Block B, of Angus Valley Addition as recorded in Plat Book 17, at Page 50, of the Plat Records of Travis County, Texas, and S 60° 54' E for a distance of 456.85 feet to an iron stake at the southeast corner of the said Martin tract and the southwest corner of Lot 1, Block B, Angus Valley Addition;

THENCE, along the east line of the said Martin tract as found fenced and used upon the ground, N 29° 31' E for a distance of 1164.24 feet to an iron stake at the northwest corner of Lot 1, Block A, of the said Angus Valley and N 28° 12' E for a distance of 863.47 feet to a large iron pipe at a 24-inch live oak tree at the northeast corner of the said Martin tract at the northeast corner of the said Cahill to Cox tract, as recorded in Volume 772, at Page 200, of the Deed Records of Travis County, Texas, and being the northwest corner of that certain tract of land as conveyed to E. J. Hood as recorded in Volume 2478, at Page 35, of the Deed Records of Travis County, Texas, for the northeast corner hereof;

THENCE, along the north line of the said tract of land as conveyed by Cahill to Cox as recorded in Volume 846, at Page 86, of the Deed Records of Travis County, Texas, and the south line of that certain tract of land as conveyed to Austin White Lime Company as recorded in Volume 1751, at Page 425, of the Deed Records of Travis County, Texas, as found fenced and used upon the ground, the following courses:

- (1) N 52° 57' W for a distance of 1054.29 feet;
- (2) N 52° 54' W for a distance of 566.24 feet;
- (3) N 53° 20' W for a distance of 1148.46 feet;
- (4) N 53° 42' W for a distance of 338.50 feet;
- (5) N 53° 45' W for a distance of 409.29 feet;
- (6) N 57° 15' W for a distance of 753.72 feet;
- (7) N 58° 09' W for a distance of 486.96 feet;

(8) N 57° 43' W for a distance of 1479.28 feet to an iron stake in the south line of McNeil Road at the most northerly corner of the said Cox tract as recorded in Volume 772, at Page 200, of the Deed Records of Travis County, Texas, for the most northerly corner hereof;

THENCE, along the south line of McNeil Road, S 70° 13' W for a distance of 447.62 feet to an iron pipe and S 70° 31' W for a distance of 327.22 feet to the PLACE OF BEGINNING,

locally known as 12127-12553 U. S. Highway 183 and also bounded by McNeil Road, in the City of Austin, Travis County, Texas.

to Cahill, as recorded in Volume 244, at Page 348, of the Deed Records of Travis County, Texas, as found fenced and used upon the ground being also the Place of Beginning of the 377 acre tract of land as recorded in Volume 772, at Page 200, of the Deed Records of Travis County, Texas;

THENCE, S 58° 37' E for a distance of 214.45 feet to an iron stake at a corner of fence for an inside corner hereof;

THENCE, S 29° 12' W along the east line of a tract of land as conveyed to Walter Yates as recorded in Volume 2831, at Page 483, of the Deed Records of Travis County, Texas, for a distance of 2229.31 feet to the northwest corner of the said Benton Moore tract and S 30° 33' W for a distance of 829.13 feet to an iron stake at the southeast corner of the said Yates tract and at the northeast corner of that certain tract of land as conveyed to Walter Yates as recorded in Volume 2981, at Page 473, of the Deed Records of Travis County, Texas;

THENCE, S 28° 12' W for a distance of 362.26 feet to an iron stake in the north right-of-way line of U. S. Highway 183 at the southeast corner of the said Yates tract as recorded in Volume 2981, at Page 473, of the Deed Records of Travis County, Texas, for the southwest corner hereof;

THENCE, along the north right-of-way line of U. S. Highway 183 crossing the said Benton Moore and L. E. Toungate tracts, S 60° 28' E for a distance of 2914.79 feet to an iron stake in the east line of the said Toungate tract and in the west line of the Summit Oaks Addition as recorded in Plat Book 7, at Page 183, of the Plat Records of Travis County, Texas;

THENCE, along the west line of the said Summit Oaks tract and the east line of the said Toungate tract N 30° 12' E for a distance of 1003.23 feet to an iron stake at the southwest corner of that certain 100 acre tract of land as conveyed by Nehring to Cahill by deed recorded in Volume 141, at Page 228, of the Deed Records of Travis County, Texas, said stake being also the northwest corner of Lot 16, Block H, of the said Summit Oaks Additions;

THENCE, along the north line of the said Summit Oaks Addition as staked upon the ground and the south line of the said Nehring tract as found fenced and used upon the ground, the following courses:

(1) S 61° 05' E for a distance of 184.17 feet to an iron stake;

(2) S 65° 43' E for a distance of 663.57 feet to an iron stake;

(3) S 60° 17' E for a distance of 454.73 feet to an iron stake;

(4) S 57° 11' E for a distance of 471.19 feet to an iron stake at the southeast corner of the said Nehring tract as found fenced and used upon the ground in the common line between the J. D. Goode Survey No. 30 and the F. G. Secrest Survey No. 23 and being in the east line of that certain tract of land as conveyed to Frank Reeder by deed recorded in Volume 1869, at Page 270, of the Deed Records of Travis County, Texas;

THENCE, with the west line of the said Reeder tract as found fenced and used upon the ground N 32° 20' E for a distance of 314.01 feet, N 59° 54' E for a distance of 30.33 feet and N 86° 11' E for a distance of 41.91 feet to an iron stake in the south line of that certain 80 acre tract of land as conveyed by

PART 2. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.


PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended and the necessity to allow expedient development of the land herein affected creates an emergency requiring that this ordinance become effective immediately; therefore, upon the final passage of this ordinance as required by law, this ordinance shall become effective immediately.

PASSED AND APPROVED

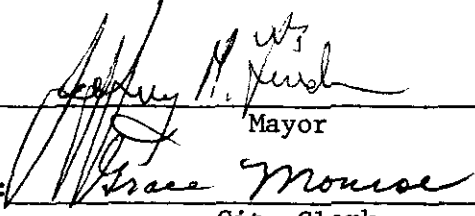
March 25

1976

APPROVED:


Acting City Attorney

ATTEST:


City Clerk

23MAR76

DLW:vs

**The Austin American
The Austin Statesman
The American-Statesman**

City of Austin

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

Eleanor Walker, Classified Advertising Agent

of American Statesman

A daily newspaper published in said County and State, who, being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit: _____

April 6, 1976

and that the attached is a true copy of said advertisement.

Eleanor Walker

SWORN AND SUBSCRIBED TO BEFORE ME, this the 6th

day of April A.D. 1976.

Merle Duncan
Notary Public in and for
TRAVIS COUNTY, TEXAS